



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

[Handwritten signature]

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,274	10/30/2000	Paul Gallagher	17887-005910	1442
20350	7590	10/09/2003	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			BACKER, FIRMIN	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicant No.	Applicant(s)
	09/702,274	GALLAGHER ET AL.
	Examiner	Art Unit
	Firmin Backer	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 06 August 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____

Response to Request for Reconsideration

This is in response to a request for reconsideration file August 6th, 2003. Claims 1-12 are being reconsidered in this action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen-Rouman et al (U.S. PG Pub No. 2002/0152160).

3. As per claim 1, Allen Rouman et al teach a computer implemented method of initiating a transfer of funds from one online account to another in a computer network, comprising receiving from a first user a request to establish an online account; receiving account access information for a bank account from the first user, wherein once the bank account is verified the first user is able to transfer funds between the online account and the bank account; verifying, using the account information, whether the first user has access to the bank account; and if verified; receiving a transfer request from the first user, the transfer request including an amount of funds for transfer from the online account associated with the first user and identification information for a recipient of the funds, the identification information including an electronic

message address for the recipient; and automatically sending an electronic message to the recipient using the electronic message address, the electronic message indicating that funds are ready for transfer to the recipient (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*).

4. As per claim 2, Allen Rouman et al teach a computer implemented method further comprising receiving a response from the recipient accepting or rejecting the transfer of funds; and transferring said amount of funds from the online account associated with the first user to a second online account associated with the recipient if the response indicates acceptance (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045*).

5. As per claim 3, Allen Rouman et al teach a computer implemented method wherein the bank account is one of a checking account and a savings account (*see paragraph 0008, 0012, 0013, 0041, 0116*).

6. As per claim 4, Allen Rouman et al teach a computer implemented method causing a small deposit to be made to the bank account using the account access information, notifying the first user that a deposit has been made to the bank account; requesting from the first user identification of the amount of the deposit; receiving a response from the first user identifying the amount of the deposit; and verifying whether the amount identified in the response matches the amount deposited in the bank account, whereby the bank account is verified if a match occurs (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*)..

7. As per claim 6, Allen Rouman et al teach a computer implemented method wherein the account access information and the response are received from the user over the Internet (*see paragraph 0003*).

8. As per claim 7, Allen Rouman et al teach a computer implemented method of transferring funds from the banking account to the online account associated with the first user in response to a request to transfer funds if the bank account is verified (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*).

9. As per claim 8, Allen Rouman et al teach a computer implemented method of transferring funds from the online account associated with the first user to the bank account in response to a request to transfer funds if the banking account is verified (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*).

10. As per claim 9, Allen Rouman et al teach a computer implemented method causing two or more small deposits to the banking account using the account access information, notifying the user that the two or more deposits have been made to the banking account, requesting from the user identification of the amounts of each of the two or more deposits, receiving a response from the user identifying the amounts of each of the two or more deposits, verifying whether the amounts identified in the response match the amounts deposited in the banking account, whereby

the account is verified if a match occurs (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*).

11. As per claim 11, Allen Rouman et al teach a computer implemented method wherein the account access information is received from the first user over the Internet (*see paragraph 0008*).

12. As per claim 12, Allen Rouman et al teach a computer implemented method wherein the account access information includes an account number (*see abstract, figs 1A, 2 and 6, paragraph 0039, 0045, 0048, 0055, 0056, 0064, 0070, 0071*).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen-Rouman et al (U.S. PG Pub No. 2002/0152160) in view of Templeton et al (U.S. PG Pub No. 2002/0004772).

15. As per claims 5 and 10, Allen-Rouman et al fail to teach an inventive concept wherein the small deposit has a value of between 0.01 to 1.00 dollar, inclusively. However Templeton teach an inventive concept wherein the small deposit has a value of between 0.01 to 1.00 dollar,

inclusively (*see paragraph 0033, 0034, 0035*). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Allen-Rouman et al's inventive concept to include Templeton et al inventive concept wherein the small deposit has a value of between 0.01 to 1.00 dollar, inclusively because this would have ensured that proper verification of the account is done before continuation of large fund transfer transactions.

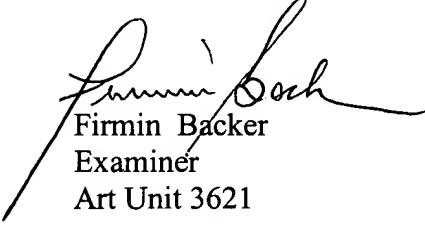
Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Firmin Backer
Examiner
Art Unit 3621

October 7, 2003